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HOSPITALITY HOUSE; COALITION ON
HOMELESSNESS; AND FAITHFUL FOOLS

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ATTORNEYS FOR PROPOSED
INTERVENORS COALITION ON
HOMELESSNESS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

HASTINGS COLLEGE OF THE LAW, a public trust
and institution of higher education duly organized
under the laws and the Constitution of the State of
California; FALLON VICTORIA, an individual;
RENE DENIS, an individual; TENDERLOIN
MERCHANTS AND PROPERTY ASSOCIATION, a
business association; RANDY HUGHES, an
individual; and KRISTEN VILLALOBOS, an
individual,

Plaintiffs,

v.

CITY AND COUNTY OF SAN FRANCISCO, a
municipal entity,

Defendant.

Case No. 4:20-cv-3033-JST

**NOTICE OF MOTION AND
MOTION FOR ORDER
SHORTENING TIME TO
HEAR INTERVENTION**

Date:

Time:

Place: Courtroom 6, Second Floor
Judge: Hon. Jon S. Tigar

Complaint Filed: May 4, 2020

Trial Date: None Set

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE that pursuant to Rule 6(c)(1)(C) of the Federal Rules of Civil Procedure and Rules 6-3 and 7-2(a) of the Local Civil Rules of this Court, Proposed Intervenor HOSPITALITY HOUSE, COALITION ON HOMELESSNESS, and FAITHFUL FOOLS hereby move for an Order in the form submitted herewith for an order shortening time for the hearing on Proposed Intervenor's Motion for Intervention in *Hastings College of the Law, et al. v. City and County of San Francisco*, case no.: 4:20-cv-03033-JST.

This Motion to Shorten Time is made on the ground that good cause supports an order shortening time, in that the parties in the case have quickly started settlement negotiations. This Motion is supported by the accompanying Memorandum of Points and Authorities, *infra*; and any oral argument this Court may allow, and any other matter of which this Court takes notice.

MEMORANDUM OF POINTS AND AUTHORITIES

Proposed Intervenor Coalition on Homelessness, Faithful Fools, and Hospitality House respectfully move for an Order Shortening Time, pursuant to Civil Rule 6-3, for the Court to hear Proposed Intervenor's Motion to Intervene, filed concurrently.

People experiencing homelessness in the Tenderloin District are the subjects of this case, yet they are not being represented by the existing parties. Plaintiffs seek the removal of unhoused persons, their tents, and their property from the Tenderloin District. Any resolution of Plaintiffs' claims, whether through court order or settlement agreement, will substantially impact the lives and property of homeless residents, and will implicate their civil and constitutional rights.

Although there are no substantive hearings currently on calendar, Proposed Intervenor submit this request for an Order Shortening Time because settlement negotiations are taking place at an unusually rapid pace. Plaintiffs filed their Complaint on May 4, 2020, a little over a month ago, and Defendants have not yet filed a response. However, the current parties have participated in six settlement conferences, sometimes several taking place in the same week. Unhoused persons will likely suffer prejudice or substantial harm if their interests are not represented in the settlement negotiations.

1 Counsel for Proposed Intervenor contacted both Plaintiffs' and Defendant's counsel to
 2 see if they would not oppose Proposed Intervenor's Motion for Intervention. Neither counsel
 3 would agree to not oppose at this time. Proposed Intervenor also sought an estimate from the
 4 City Attorney of how close the parties were to resolution of all issues, but were unable to learn
 5 this information. Given the pace of settlement conferences thus far, Proposed Intervenor will be
 6 prejudiced and may suffer substantial harm if their Motion for Intervention is not heard on a
 7 shortened calendar. Proposed Intervenor are not yet parties to the case and so did not request
 8 the parties' stipulation to this request to shorten time.

9 Proposed Intervenor filed their Motion to Intervene on June 9, 2020. The next available
 10 motion date per this Court's calendar is July 22, 2020 at 2:00 p.m. An order shortening time
 11 would have no effect on the schedule for the case, as there are no other motions or hearings
 12 scheduled other than a case management conference on June 19, 2020. Civil L.R. 6-3(a)(6).

13 Pursuant to Civil Local Rule 6-3, Proposed Intervenor submit in support of this Motion,
 14 Exhibit A, Declaration of Lauren Hansen and Exhibit B, Proposed Order Shortening Time.

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 16
 17 DATED: June 9, 2020

Respectfully submitted,

18 PUBLIC INTEREST LAW PROJECT
 19 DISABILITY RIGHTS CALIFORNIA
 20 BAY AREA LEGAL AID

21 By: 

22 LAUREN HANSEN
 23 Attorneys for Proposed Intervenor
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